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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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07/05/2001

Yoshiko Tamaki

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38327

7590

10/23/2006

REED SMITH LLP

3110 FAIRVIEW PARK DRIVE, SUITE 1400
FALLS CHURCH, VA 22042

EXAMINER

DOAN, DUYEN MY

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/897,929

Applicant(s)

TAMAKI ET AL.

Examiner

Duyen M. Doan

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the submission filed on 7/26/06. Claim 6 is amended for examination. Claims 1-5,7-28 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mangipudi et al (us pat 6,728,748) (hereinafter Mangi) in view of Dorsey et al (us pat 6,198,751) (hereinafter Dorsey) and further in view of Bruck et al (us pat 6,801,949).

Mangi discloses for a use contract between each user and the computer system (see Mangi col.5, lines 31-67; col.6, lines 5-32; col.7, lines 1-50, col.9, lines 37-67; col.10, lines 1-32; col.14, lines 1-57); used for identifying said user when a process request packet sent to the computer from said user registering in said computer system mapping information for determining a user identification from a determined one of said first IP address and second IP address when a process request packet is sent to the computer system from said user (see Mangi col.5, lines 31-67; col.6, lines 5-32; col.7, lines 1-50, col.9, lines 37-67; col.10, lines 1-32; col.14, lines 1-57); urging each user to

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input a service level condition as a portion of the user contract, the service level condition include at least upper or lower limits of the number of computers to be allocated to the user (see Mangi col.5, lines 31-67; col.6, lines 5-32; col.7, lines 1-50, col.9, lines 37-67; col.10, lines 1-32; col.14, lines 1-57); determining an allocation of said computers to each user in accordance with the service level condition input by each user, and forming an allocation definition table including the user identification of each user and distributing each of the process request packets from each user to a computer allocated to the corresponding user by referring to said allocation definition table (see Mangi col.5, lines 31-67; col.6, lines 5-32; col.7, lines 1-50, col.9, lines 37-67; col.10, lines 1-32; col.14, lines 1-57)

Mangi does not explicitly disclose first virtual IP address and a second virtual IP address and a second virtual IP address that is included in each of the process request packets sent from said user as an access source IP address and urging each user to input a first virtual IP address to be used as an access destination address of process request packets, correspondence information between said first virtual IP address to be used as access destination address in process request packets from each user and real IP address of computers allocated to each user and real IP address of computers allocated to each user.

Dorsey discloses first virtual IP address and a second virtual IP address and a second virtual IP address that is included in each of the process request packets sent from said user as an access source IP address (see Dorsey col.9, lines 46-59)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Dorsey to the method of Mangi to have virtual IP address in the packet because by doing so, the processing packet would be safe from being intercept and understood by unauthorized user.

The combination of Mangi and Dorsey does not explicitly disclose urging each user to input a first virtual IP address to be used as an access destination address of process request packets, correspondence information between said first virtual IP address to be used as access destination address in process request packets from each user and real IP address of computers allocated to each user and real IP address of computers allocated to each user

Bruck teaches urging each user to input a first virtual IP address to be used as an access destination address of process request packets (see Bruck col.8, lines 5-39; col.9, lines 31-40; col.18, lines 43-67; col.9, lines 1-19), correspondence information between said first virtual IP address to be used as access destination address in process request packets from each user and real IP address of computers allocated to each user and real IP address of computers allocated to each user (see Bruck col.8, lines 5-39; col.9, lines 31-40; col.18, lines 43-67; col.9, lines 1-19).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Bruck to the method of Mangi-Dorsey to have correspondence information between virtual IP address and real IP address because it would permits the server cluster machine to know which machine are

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functioning and which virtual IP address have been assigned to each of the machines (see Bruck col.9, lines 31-40).

Response to Arguments

Applicant's arguments with respect to claim 6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
Art unit 2152


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER